

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8679 setting February 18, 2014 as the date for a public hearing to consider the vacation of a portion of 139th Avenue SE (entrance to Forest Ridge School of the Sacred Heart)

FISCAL IMPACT

This action requires staff preparation and research time, which can be accommodated within the existing operating budget. The petitioner has paid the required pre-hearing fee of \$1,650 and will pay a post-hearing fee of \$1,100 if the property is to be vacated. Petitioner is requesting a property trade in lieu of payment (Bellevue City Code 14.35.160); therefore no compensation would be required in excess of administrative fees.

STAFF CONTACT

Nora Johnson, Director, 452-4167
Max Jacobs, Real Property Manager, 452-4182
Patti Ebert, Sr. Real Property Agent, 452-5203
Civic Services Department

David Berg, Director, 452-6468
Transportation Department

POLICY CONSIDERATION

Section 14.35.070 of the Bellevue City Code requires that Council hold a public hearing to consider the vacation, to hear any person wanting to speak for or against the vacation, and to pass an ordinance accomplishing the vacation, if appropriate. Staff will gather information and prepare findings to assist the Council in the discussion of the vacation. Following the hearing, the Council shall determine:

- a. Whether a change of use or vacation of the described portion will better serve the public good; or
- b. Whether the street or portion thereof is no longer required for public use; or
- c. Whether the use thereof as a public way is of such benefit as not to justify the cost of maintenance; or
- d. Whether the substitution of a new and different thoroughfare would be more useful to the public; or
- e. Whether conditions may so change in the future as to provide a greater public use or need than presently exists; and
- f. Whether objections to the proposed vacation are made by owners of private property (exclusive of the petitioners) abutting the same.

Bellevue City Code 14.35.050 requires the public hearing be held, at a time not more than 60 days, nor less than 20 days, after the date of passage of a resolution establishing the hearing date.

BACKGROUND

On November 26, 2013, the City received a sufficient street vacation petition signed by property owners of two-thirds of the land abutting a portion of 139th Avenue. The sufficiency of the petition, as required by City Code, has been established. The area to be vacated is adjacent to property currently owned by

the petitioner, Forest Ridge Academy, whose physical address is 4800 139th Avenue SE. This right-of-way is located in a single-family neighborhood within the Somerset #14 Plat, recorded September 18, 1963.

This section of right-of-way is approximately 50 feet in width. The Forest Ridge Academy is proposing to do a property trade with the City to correct the location of the current right-of-way versus the actual location of the roadway. The school would deed approximately 3,720 square feet of land to the City, which our current roadway is located within. The City would deed approximately 2,300 square feet of right-of-way that is not needed for the roadway to the school in return. This would fully correct the alignment of the existing roadway and right-of-way. In doing so, this would also allow the school to continue with their proposed plans for expansion of this facility per their phasing plans which are currently in land use/development review.

Six City departments reviewed and commented on the current vacation request. They recommended approving the street vacation, with the retention of a water line easement for an existing water line serving the school and neighboring properties.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt Resolution No. 8679 setting February 18, 2014 as the date for a public hearing to consider the vacation of a portion of 139th Avenue SE.
2. Do not adopt Resolution No. 8679 and provide alternative direction to staff.

RECOMMENDATION

Adopt Resolution No. 8679 setting February 18, 2014 as the date for a public hearing to consider the vacation of a portion of 139th Avenue SE.

MOTION

Move to adopt Resolution No. 8679 setting February 18, 2014 as the date for a public hearing to consider the vacation of a portion of 139th Avenue SE.

ATTACHMENTS

Vicinity Map
Proposed Property Trade Exhibit
Proposed Resolution No. 8679

AVAILABLE IN COUNCIL OFFICE

Petition To Vacate Streets

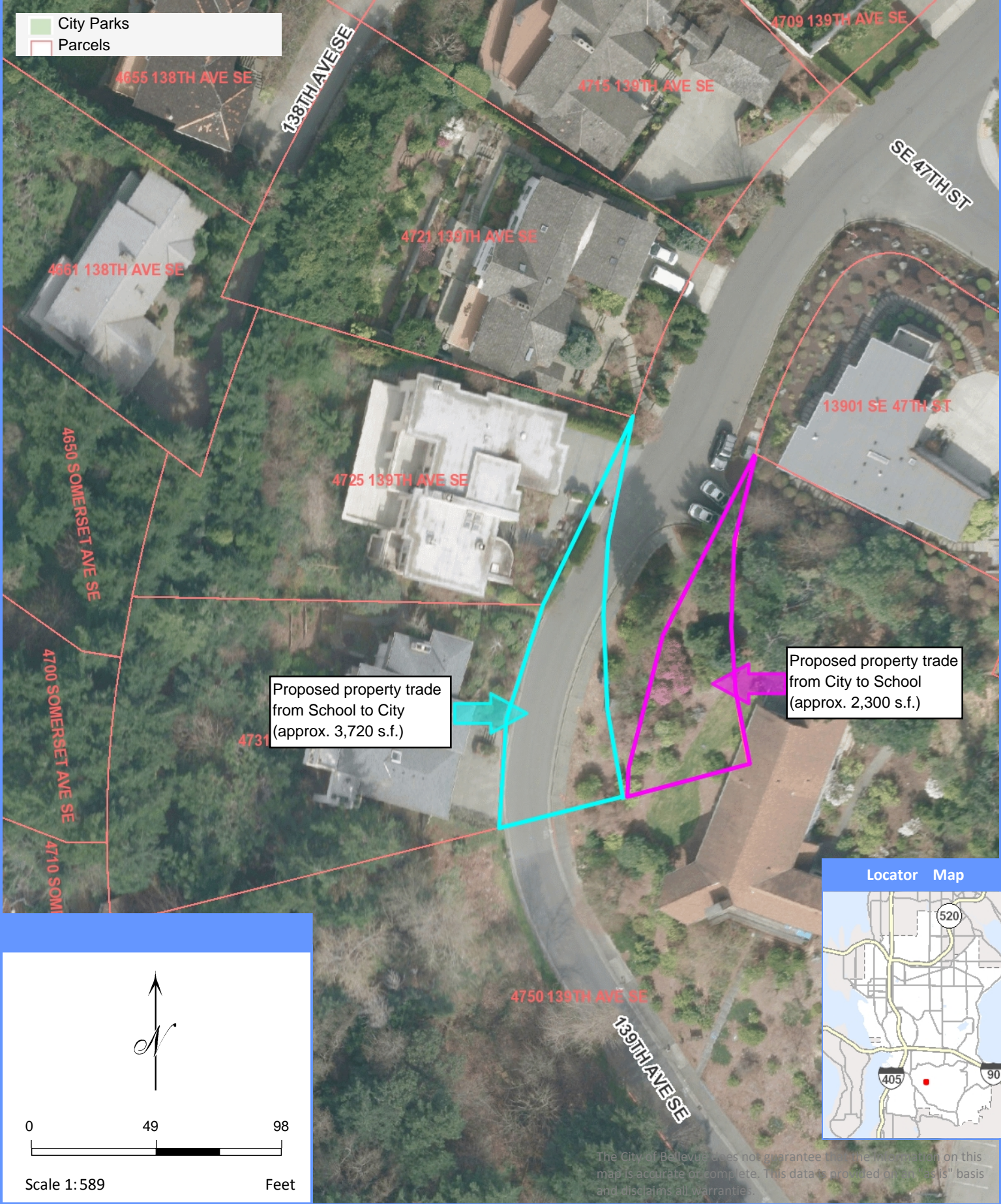


Street Vacation - Forest Ridge



0 113 226
Scale 1: 2,711 Feet

Proposed Property Trade Exhibit



CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 8679

A RESOLUTION initiating vacation of a portion of 139th Avenue SE (entrance to Forest Ridge School of the Sacred Heart); and setting a time and place for a hearing to consider such a vacation.

WHEREAS, the City Council received a petition to initiate the vacation of a portion of City right-of-way, as set forth in Section 1 below, and desires to set a time and place for a hearing before the City Council to consider such vacation; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee hereby initiates the vacation, pursuant to section 14.35 of the Bellevue City Code, of the following City right-of-way:

A portion of 139th Avenue SE (entrance to Forest Ridge School of the Sacred Heart), as more particularly described in Exhibit A.

Section 2. A public hearing shall be held upon the proposal to vacate the City right-of-way set forth in Section 1, on February 18, 2014, at the hour of 8:00 pm or as soon thereafter as the matter may be heard by the City Council, in the Council Chambers at Bellevue City Hall, 450 110th Ave NE, Bellevue, Washington.

Section 3. Notice of such hearing shall be provided and posted in the manner required by section 14.35.070 of Bellevue City code inviting interested persons to appear and be heard for or against the proposed vacation.

Passed by the City Council this _____ day of _____, 2014, and signed in authentication of its passage this _____ day of _____, 2014.

(SEAL)

Claudia Balducci, Mayor

Attest:

Myrna L. Basich, City Clerk